

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

MATTHEW A. LUKE,

Civil No. 3:12-CV-05097-JRC

Plaintiff,

ORDER GRANTING STIPULATED
MOTION TO STAY THE SCHEDULING
ORDER

MICHAEL J. ASTRUE, Commissioner of the
Social Security Administration,

Defendant.

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13 (see also Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, ECF No. 5; Consent to Proceed Before a United States Magistrate Judge, ECF No. 7).

Based on the parties' Stipulated Motion to Stay the Scheduling Order (ECF No. 15), it is hereby ORDERED that the Scheduling Order is STAYED for sixty days (July 23, 2012) while the Social Security Administration's Office of Disability Adjudication and Review, Appeals Council, attempts to locate the missing transcript from a third administrative hearing in this case.

1 If the third hearing transcript can be located before July 23, 2012, a supplemental
2 certified administrative record shall be prepared, and the parties shall move this Court to lift the
3 stay and issue a new Scheduling Order.

4 If the third hearing transcript cannot be located by July 23, 2012, the parties shall notify
5 the Court and move to remand the case pursuant to sentence six of 42 U.S.C. § 405(g) or
6 defendant shall demonstrate why the scheduling order should be stayed for an additional amount
7 of time for the Appeals Council to locate the missing transcript.

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9 DATED this 23rd day of May, 2012.

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J. Richard Creatura
United States Magistrate Judge